

IN THE MUNICIPAL COURT OF BARBERTON
SUMMIT COUNTY, OHIO

STATE OF OHIO

CASE # CRB1702131

Plaintiff

JUDGE: TO BE ASSIGNED

vs

MARYBETH FOSTER

MOTION TO WITHDRAW

Defendant

Now comes Russell A Buzzelli, attorney for Defendant Marybeth Foster and respectfully requests of this Honorable Court an Order granting to him permission to withdraw as Counsel in the above captioned matter. For cause, pursuant to Model Rule of Professional Behavior 1.16 (B) (6) & (9), a lawyer may withdraw from representation of a client if representation has been rendered unreasonably difficult by the client. Further, under this rule, representation may be terminated if continued representation results in an unreasonable financial burden on the attorney.

In the instant matter all communications with Defendant have ceased. Furthermore, the Defendant removed her file from Defense Counsel's office more than two months ago advising she would handle her own case, with no further communication, resulting in a total breakdown of the attorney client relationship. Finally, Defendant is unable to pay for services rendered as required in a fee agreement. Therefore, based on a total breakdown in the Attorney Client relationship, the undue financial burden on Counsel, and Defendant's intentional actions, Defense Counsel requests permission to withdraw herein.

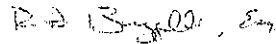
Respectfully Submitted,

R. A. Buzzelli, Esq.

Russell A. Buzzelli #0038165
PO Box 84
Wadsworth, Ohio 44281
(330)336-1075 phn

CERTIFICATE OF SERVICE

A copy of the above motion and proposed order was served on the Defendant at her published email address of mbkc1@hotmail.com, and at her residence at 2113 Copley Road, Copley, OH 44321, by US Mail on September 21, 2018 and December 2, 2018 and on Counsel for the State Attorney Thomas D. Bown, Asst. Prosecutor, City of Akron Prosecutor's Office, 217 S. High Street, Suite 203, Akron, Ohio 44308 Office: (330) 375-2424, trown@akronohio.gov on December 2, 2018.



Russell A. Buzzelli #0038165

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Plaintiff

JUDGE: TO BE ASSIGNED

Vs

MARYBETH FOSTER

ORDER GRANTING WITHDRAWAL

Defendant

This matter is before the Court on motion of Attorney Russell A. Buzzelli, Esq., pursuant to Model Rule of Professional Behavior 1.16 (B) (6) & (9), requesting permission of this Court to withdraw in the above described matter.

Pursuant to this Model Rule a lawyer may withdraw from representation of a client if representation has been rendered unreasonably difficult by the Client. Further, under this rule, representation may be terminated if continued representation results in an unreasonable financial burden on the attorney.

For good cause shown Attorney Buzzelli's motion to withdraw is granted.

IT IS SO ORDERED.

JUDGE